

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO ex rel.
STATE ENGINEER,

Plaintiff,

vs.

ROMAN ARAGON, et al.,

Defendants.

NO. 69cv7941 MV/KK

RIO CHAMA ADJUDICATION

Section 1, Chama Mainstream

MEMORANDUM OPINION AND ORDER
APPROVING APPOINTMENT OF JOHN MUMM AS WATERMASTER

THIS MATTER is before the Court on the State of New Mexico’s Motion to Approve Appointment of Rio Chama Watermaster in Section 1 of the Rio Chama Stream System, Doc. 11582, filed June 15, 2020. For the reasons stated below, the Court **GRANTS** the Motion.

The Partial Final Judgment and Decree (“Decree”) entered on July 26, 1971, for the Chama Mainstream Section requires that the State Engineer appoint a water master to assist in the administration and enforcement of the Decree “subject to the approval of the Court.” Doc. 1778, ¶ 8 at 6. The duties of the water master include, but are not limited to: “the inspection and approval of meter installations required by the provisions of this [Decree]; the maintenance of records of water diversions; the supervision of water use under rights adjudicated [in the Decree] including the establishment of the rate of diversion for each ditch; and the preparation of rules and regulations for the administration of this [Decree].” Doc. 1778, ¶ 9 at 6.

The State has appointed John Mumm to serve as the Rio Chama water master for the Chama Mainstream Section because Beatriz Vigil, the previously appointed water master for the Chama Mainstream Section, has left the Office of the State Engineer.

Mr. Mumm was previously employed by the Wyoming State Engineer's Office as an Assistant Superintendent and Hydrographer Commissioner. His duties included water rights administration, managing availability and distribution of water resources, metering/measurement of streamflow, and data management and analysis. He is experienced in holding public meetings, customer service, field checks, and acequia by-laws. Mr. Mumm is comfortable communicating with acequia parciantes on technical and compliance issues unique to New Mexico.

The Rio Chama Acequia Association, Inc. ("RCAA") represents a majority of water users on the Chama Mainstream. Exhibit 1.¹ Mr. Mumm has met and worked with RCAA president Tim Seaman, commissioners of the RCAA member ditches, and individual acequia parciantes. *Id.* As Exhibit 1 demonstrates, the RCAA strongly supports the approval of the appointment of Mr. Mumm as the water master for the Chama Mainstream Section of the Rio Chama.

Motion ¶¶ 3-4 at 2.

No responses opposing the State's motion to approve Mr. Mumm as the water master for the Chama Mainstream Section have been filed. The Court approves the State Engineer's appointment of Mr. Mumm as the water master for the Chama Mainstream Section.

IT IS SO ORDERED.


Kirtan Khalsa
United States Magistrate Judge

¹ Exhibit 1 is a letter, from the Rio de Chama Acequia Association, Inc. to the United States District Court for the District of New Mexico, dated May 23, 2020, in support of the appointment of John Mumm as the water master.